

**SUSTAINABLE TAMALMONTE
215 JULIA AVE.
MILL VALLEY, CA 94941**

June 16, 2014

Larkspur City Council &
Neal Toft, Director of Planning and Building – City of Larkspur
400 Magnolia Ave.
Larkspur, CA 94939
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Re: The DRAFT Larkspur SMART Station Area Plan & DEIR – Recommended Course of Action

Dear Larkspur City Council,

In the City of Larkspur Staff Report prepared for the June 18th, 2014 City Council Meeting, Staff asks City Councilmembers for direction as to which course of action to take regarding the proposed Larkspur Station Area Plan (SAP) and its Draft Environmental Impact Report (DEIR). Staff specifically asks whether:

- The response to comments and Final Environmental Impact Report (FEIR) should be prepared as currently called for in the work program;
- New alternatives should be examined as part of the DEIR and Plan;
- The DEIR and plan should be substantially reworked and recirculated; and/or
- The City should “stop the process” altogether.

In response, we wish to make recommendations on how to best proceed to accomplish worthwhile and widely accepted goals related to the Larkspur SMART Station and the surrounding area.

Worthwhile and Widely Accepted Goals:

It is our understanding that Larkspur residents are opposed to any of the new development proposed by the Larkspur SMART Station Area Plan. However, it is also our understanding that Larkspur residents would value a plan that presents viable solutions to existing problems and identifies comprehensive and beneficial improvements to traffic flow, pedestrian and bicycle circulation, parking and access within and around the future SMART station. Our following recommendations will accomplish all of these objectives.

Stop the Process

In order to answer Staff's question and achieve the above referenced goals, we strongly urge you to "Stop the Process" and take the following steps, which are similar to what the City of Mill Valley did with its Miller Ave. Precise Plan (MAPP):

- 1) Don't certify the Station Area Plan's Draft EIR;
- 2) Don't proceed with the Station Area Plan; and
- 3) Start anew by creating a new plan or, better yet, by expanding the scope of the upcoming General Plan Update.

1. Reject the Larkspur SMART Station Area Plan's Draft EIR:

We urge you to reject the Larkspur SMART Station Area Plan's Draft Environmental Impact Report (DEIR) as incomplete, incorrect and inadequate. Our previous letter, dated May 1, 2014, demonstrated that the Draft EIR is not legally certifiable as a Program EIR. The Draft EIR fails to satisfy regulatory and procedural requirements of California law and fails to adequately disclose, analyze and mitigate the Draft Larkspur Station Area plan's potentially significant impacts with respect to air quality, seismic activity, water supply, sea level rise, traffic, habitat and species protection, among others.

Moreover, certification of the Station Area Plan's DEIR could pave the way for future detrimental development, even if the current Council is opposed to such development. Approval of the Draft EIR would create the possibility that the Station Area Plan could later be resurrected with the housing component restored.

Furthermore, certification of the EIR allows potential streamlining or exemption of environmental review of subsequent projects. The Introduction of the Draft EIR states; "This document is a Program EIR for the Station Area Plan, and may function as a project-level EIR for later specific projects." Also, regarding laws that allow CEQA streamlining and exemption, the Station Area Plan's EIR is the Program EIR that subsequent Project EIRs would tier off of and rely on for streamlining and exemption of environmental review.

2. Don't Proceed with the Station Area Plan:

We urge you to not proceed with the Station Area Plan. Our previous letter, dated May 2, 2014, demonstrated that implementation of the Larkspur Station Area Plan or its alternatives would be a tremendous detriment to Larkspur and Marin. The plan's proposed development would make intolerable traffic congestion even worse, generate new unavoidable significant adverse impacts, mandate unfunded expenses for public infrastructure, public utilities and public services, and disregard Larkspur's charming traditional character.

3. Create a Brand New Plan or Expand the Scope of the Larkspur General Plan Update:

After rejecting the Station Area Plan's DEIR and discontinuing the Station Area Plan process, Larkspur should then create a new plan or, better yet, expand the scope of the upcoming Larkspur General Plan Update to satisfy goals that Larkspur had originally wanted to accomplish with the Station Area Plan. The new Plan or the Larkspur General Plan Update would provide viable and comprehensive solutions for: the chronic traffic congestion; pedestrian and bicycle circulation; parking; and access within and around the future SMART station, including safe and direct passage from the SMART station to the Ferry and vice versa, even in stormy weather. In addition, the new Plan or General Plan Update would present a basic design, illustrating ingress and egress, for the SMART station itself.

Conclusion

We strongly recommend that you reject the Station Area Plan's EIR, discontinue the Station Area Plan process, and expand the scope of the Larkspur General Plan Update to include viable solutions and beneficial improvements related to transportation, circulation, and access within and around the future SMART station. These steps would ensure that unwanted development and resultant significant adverse impacts would not occur, that the traditional character of Larkspur would be maintained and that comprehensive solutions to critical issues would be found.

Thank you in advance for your conscientious consideration.

Very truly yours,
/s/

Sharon Rushton
Chairperson
Sustainable TamAlmonte